

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. 07-MJ-426
)	
v.)	
)	DETENTION ORDER
STACY EARL STITH,)	
)	
Defendant.)	
_____)	

Offenses charged:

Count 1 and 2: Distribution of Cocaine Base in the Form of Crack Cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B)(iii).

Count 3: Possession of Cocaine Base in the Form of Crack Cocaine with the Intent to Distribute in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(iii).

Date of Detention Hearing: September 10, 2007.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that

01 defendant is a flight risk and a danger to the community based on the nature of the pending
02 charges. This places a limited burden of production on the defendant, although the burden of
03 persuasion remains with the government. Application of the presumption in favor of detention
04 is appropriate in this case.

05 (2) Defendant has a lengthy criminal record based upon his background history
06 check.

07 (3) Defendant has on-going substance-abuse issues.

08 (4) Defendant has a history of failures to appear.

09 (5) Defendant has a history of failures to comply with Court Orders, indicating an
10 unwillingness or inability to comply with terms of supervision.

11 (6) Defendant is associated with eighteen (18) alias names, five (5) dates of birth,
12 and four (4) social security numbers.

13 (7) There appear to be no conditions or combination of conditions other than
14 detention that will reasonably address the risk of flight and risk of danger to other persons or
15 to the community.

16 IT IS THEREFORE ORDERED:

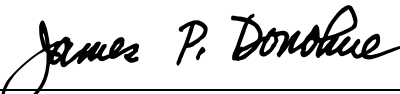
17 (1) Defendant shall be detained pending trial and committed to the custody of the
18 Attorney General for confinement in a correctional facility separate, to the
19 extent practicable, from persons awaiting or serving sentences or being held in
20 custody pending appeal;

21 (2) Defendant shall be afforded reasonable opportunity for private consultation
22 with counsel;

23 (3) On order of a court of the United States or on request of an attorney for the
24 government, the person in charge of the corrections facility in which defendant
25 is confined shall deliver the defendant to a United States Marshal for the
26 purpose of an appearance in connection with a court proceeding; and

01 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United
03 States Pretrial Services Officer.

04 DATED this 10th day of September, 2007.

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07 JAMES P. DONOHUE
08 United States Magistrate Judge
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